UNITED
NATIONS

S

Security Council

PROVISIONAL

S/PV.3336 (Resumption 1)
14 February 1994

ORIGINAL: ENGLISH

PROVISIONAL VERBATIM RECORD OF THE THREE THOUSAND
THREE HUNDRED AND THIRTY-SIXTH MEETING (Resumption 1)

Held at Headquarters, New York,
on Monday, 14 February 1994, at 3.55 p.m.

President:	Mr. OLHAYE	(Djibouti)
Members:	Argentina	Mr. CARDENAS
	Brazil	Mr. SARDENBERG
	China	Mr. CHEN Jian
	Czech Republic	Mr. KOVANDA
	France	Mr. MERIMEE
	New Zealand	Mr. KEATING
	Nigeria	Mr. GAMBARI
	Oman	Mr. AL-KHUSSAIBY
	Pakistan	Mr. KHAN
	Russian Federation	Mr. VORONTSOV
	Rwanda	Mr. BIZIMANA
	Spain	Mr. YAÑEZ BARNUEVO
	United Kingdom of Great Britain and Northern Ireland	Sir David HANNAY
	United States of America	Mrs. ALBRIGHT

This record contains the original text of speeches delivered in English and interpretations of speeches in the other languages. The final text will be printed in the Official Records of the Security Council.

Corrections should be submitted to original speeches only. They should be sent under the signature of a member of the delegation concerned, within one week, to the Chief, Official Records Editing Section, Office of Conference Services, room DC2-794, 2 United Nations Plaza, and incorporated in a copy of the record.

94-85179 (E)

The meeting resumed at 3.55 p.m.

The PRESIDENT: I should like to inform the Council that I have received letters from the representatives of Brunei Darussalam, Estonia, Greece and Kuwait, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Abdul Momin (Brunei Darussalam), Mr. Jaakson (Estonia), Mr. Exarchos (Greece) and Mr. Abulhasan (Kuwait) took the places reserved for them at the side of the Council Chamber.

The PRESIDENT: The Security Council will now continue its consideration of the item on its agenda.

Mr. CHEN Jian (China) (interpretation from Chinese): Recently, with the aggravation of the armed conflict in Bosnia and Herzegovina, the humanitarian situation is worsening and the people there are being subjected to greater suffering. On 5 February, a mortar-shelling incident occurred in Sarajevo, resulting in the killing or wounding of more than 200 persons. This incident has caused shock and indignation in the international community. The Chinese delegation strongly condemns this atrocity. We are in favor of a speedy and thorough United Nations investigation into the incident.

The conflict in Bosnia and Herzegovina has long remained unsolved and continues to worsen. It is the common aspiration of the international community that this disastrous crisis should be

(Mr. Chen Jian, China)

brought to an early end. In this regard, we fully understand the concern and anxiety shown by the numerous non-aligned and Muslim countries over the current situation in Bosnia and Herzegovina. We believe that the fundamental solution to the Bosnia and Herzegovina conflict is a political settlement, which depends, in the final analysis, on the people in Bosnia and Herzegovina themselves. We also agree that heavy weapons should be withdrawn from areas surrounding Sarajevo or put under the control of the United Nations Protection Force (UNPROFOR), for the purpose of protecting the safety and security of the people in Sarajevo and ensuring the smooth conduct of humanitarian-relief activities. We have noted that an agreement has recently been reached between the Bosnian Serbs and the Bosnian Government forces on a cease-fire in Sarajevo and the withdrawal of heavy weapons. We welcome this new agreement and hope that the international community will continue to urge and encourage the parties to implement in earnest the agreements already reached so as to create a favourable atmosphere and conditions for peace talks.

The eventual settlement in Bosnia and Herzegovina should continue to be sought within the framework of the principles set forth by the International Conference on the Former Yugoslavia and the relevant Security Council resolutions and through peaceful negotiations, so as to ensure a lasting, fair and reasonable settlement that can guarantee the fundamental interests of the various parties and can be accepted by all.

The parties concerned in Bosnia and Herzegovina recently held several rounds of talks. We hope that the endeavours of the international community will truly help promote the peace process towards a political settlement.

(Mr. Chen Jian, China)

China always advocates the peaceful settlement of conflict through dialogue and negotiation. We are opposed to the use or threat of force. At present, the peace process in Bosnia and Herzegovina is at a crucial juncture. To take further military actions there will by no means help achieve a political settlement. On the contrary, it will only entail negative consequences. With regard to the use of air power in Bosnia and Herzegovina, our understanding is that it should be limited to self-defence by UNPROFOR. As for the possible serious consequences that the use of air strikes could have for the safety of UNPROFOR personnel and that of the humanitarian relief organizations in Bosnia and Herzegovina, we cannot but express anxiety and concern. One should therefore act very prudently and refrain from taking any hasty action.

Peaceful coexistence is the common aspiration of the various ethnic communities in Bosnia and Herzegovina. We strongly urge the parties to the conflict to act in the people's fundamental interests, bury the hatchet and bring the war and conflict to an end through negotiation, and achieve genuine national reconciliation so as to lift the people in Bosnia and Herzegovina from the abyss of war.

Mr. BIZIMANA (Rwanda) (interpretation from French): The Security Council is meeting today to share the bitterness we feel about the way the situation in Bosnia and Herzegovina has evolved, and to consider the ways and means that could lead to the end of the disaster horribly perpetrated for motives that prompt people to flout, without the least concern, the most elementary principles of international law, morality and ethics, the human values that serve

(Mr. Bizimana, Rwanda)

as the foundation of the right to life. That is mankind's raison d'être.

For about two years now, day by day the international community has observed the human tragedy brought about by the hateful practice of "ethnic cleansing", the objective of which is to eliminate an entire people, an entire nation and a Member State of the United Nations.

The ignoble, abominable acts perpetrated against innocent people in the Republic of Bosnia and Herzegovina reached an apogee with the terrible slaughter, on 5 February 1994, of civilians in the central market of Sarajevo, which resulted in numerous losses of human life and hundreds of injuries. This odious act was preceded by the criminal attack on 4 February 1994 which cost some civilians, including children, their lives, and wounded many others.

My delegation believes that more than ever before the time has now come to put an end to this carnage and to stop these atrocious acts. To achieve this, we believe that the Council - rather than adopting new resolutions which are not implemented - must first consider the necessary measures to ensure the complete implementation of the whole arsenal of resolutions that have already been adopted. We are deeply convinced that if these resolutions had been implemented, in particular resolutions 824 (1993), 836 (1993) and 844 (1993), the "safe areas" in Bosnia and Herzegovina would have been protected. These resolutions are, for us, a legal framework that is ample enough to cover all actions aimed at ensuring the security of innocent lives in Bosnia and Herzegovina.

(Mr. Bizimana, Rwanda)

To achieve this, we welcome the action of the Secretary-General, Mr. Boutros Boutros-Ghali, and the swift follow-up by the North Atlantic Treaty Organization (NATO) of his request regarding the recourse to air strikes to deter perpetration of barbaric acts and shelling, which my country vigorously condemns.

In this context, my delegation supports the actions considered by NATO to ensure the immediate lifting of the siege of Sarajevo. My delegation would like to draw the attention of the Security Council to the need to consider that in this exercise we must act most carefully, bearing in mind the special situation of Bosnia and Herzegovina, which is subject to an arms embargo even as it confronts acts of aggression and therefore needs to exercise its right of self-defence as laid down in Article 51 of the Charter.

We deplore the fact that events in Bosnia and Herzegovina have proved right those, including my delegation, who have always felt that the refusal to lift the embargo against Bosnia and Herzegovina - a refusal with which the great majority of members of the international community do not agree - has been taken by the Bosnian Serbs and their allies as a sign of support for their use of weapons and for their continued acts of aggression against a Member State of the United Nations which has been stripped of all means of ensuring the survival of its people. It is high time that the Security Council proceeded to a reconsideration of this question.

My delegation believes that efforts to ensure complete implementation of Security Council resolutions should make it possible to restore the balance that has been lost and to generate a new willingness in the parties concerned to act by means of negotiations in order to reach a negotiated settlement of the

(Mr. Bizimana, Rwanda)

conflict, ensuring the integrity, sovereignty and independence of Bosnia and Herzegovina.

Here, we would invite the parties concerned to let themselves be influenced by the ideal of peace, to negotiate in good faith within the framework of the International Conference on the Former Yugoslavia and to refrain from any act which might harm the personnel of the United Nations Protection Force or that of the organizations working in the field to distribute the humanitarian aid that is needed to relieve the suffering of the people.

The PRESIDENT: I shall now make a statement in my capacity as the representative of Djibouti.

After an excruciating and gruesome 22-month war, catastrophic in both human and material terms, the powers that be seem to have determined that enough is enough. At least, that is the reading of my delegation, this time around. After the many golden opportunities squandered in the past, the time is again ripe for decisive and far-reaching action on all fronts, because it no longer makes any sense merely to present the appearance of a common front. We are too familiar with the hollow threat, "We rule nothing out!". The attack on a Sarajevo open-air market on Saturday, 5 February, now acknowledged as the deadliest since the aggression started, may, after all, prove to be the proverbial last straw. Its provenance has never been doubted, given its timing and deadly accuracy.

Over the last two years, the crimes and atrocities perpetrated in Bosnia, while the world watched with an indignation that was often unmatched with decisiveness, caused tens of thousands of deaths, fatal injuries and maimings, rapes, mass expulsions and untold human misery. The international community not only failed

(The President)

to prevent the aggressors from unleashing this war in the first place, but, worse, also failed miserably to contain the savagery of this abominable war which continues to this day.

The question is, will the fallout from that deadly mortar attack change the future course of events in Bosnia? We are encouraged by the swift decision and the coordination of actions between the United Nations and the North Atlantic Treaty Organization (NATO) on possible air strikes by next week, unless the artillery besieging Sarajevo is pulled back and taken out of range and the heavy weapons in the area are handed over to the United Nations.

Through its resolutions, particularly resolution 836 (1993), adopted in June 1993, the United Nations has always had sufficient authority to use all necessary measures to deter attacks against Sarajevo and the five Muslim enclaves designated as "safe areas". The guns around Sarajevo may be silent for now, but the other Muslim enclaves, in eastern Bosnia, remain under tight siege and are vulnerable to retaliatory attacks. In those areas as in Sarajevo, water, power and access to supply lines are under tight Serb control. Surely this can no longer be tolerated. We strongly urge that the twin issues of the shelling and siege of Sarajevo and the other "safe areas" be addressed concurrently.

(The President)

Throughout the war, the Serbs have consistently tested the resolve of the international community, whose empty threats and indecision undoubtedly added to the lingering suffering and continued loss of property as well as territory of the war's chief victim - the Bosnian Muslims.

Serb defiance set the tone. Western policy has changed quite often in response to events on the battlefield, and policy differences among the major countries have only exacerbated the uncertainty about any political and territorial settlements.

We have come a long way, mired, as it were, in confusion, division and inaction. We therefore welcome the current ultimatum as a right move and the first, perhaps, in a series of firm lines that have to be drawn to show our determination to end the war.

That brings me to venture to answer the loaded question - "What do the Bosnian Muslims want?" More than anything else, they want the right to defend themselves; they want guaranteed peace, a fair and realistic territorial settlement, contiguous territory, secure borders, free and unimpeded access to both the Sava River and the Adriatic sea, and independent supply lines. What is at stake, however, is the viability of the State that will finally emerge from the ashes of a once-proud multi-ethnic society. Whatever its basis, such a settlement must not smack of "ethnic cleansing", appeasement or undue pressure to accept an unjust deal. In the attempt to cut and run, the weakest party - Bosnia's Muslims - should not be unjustly pressured and obliged to settle for far less than what is, in the final analysis, an acceptable minimum to them.

Finally, we wish to express our sincere appreciation and gratitude to the Secretary-General, his Special Representatives,

(The President)

NATO, the United Nations Protection Force (UNPROFOR) Commander in Bosnia, UNPROFOR personnel, the Office of the United Nations High Commissioner for Refugees, the International Committee of the Red Cross and the multitudes of non-governmental organizations, for their devotion, determination and sacrifices and their commitment to mitigating the humanitarian tragedy and bringing about a durable peace, coupled with an honourable settlement, in Bosnia and Herzegovina.

I now resume my functions as President of the Security Council.

The next speaker is the representative of Germany. I invite him to take a place at the Council table and to make his statement.

Mr. GRAF ZU RANTZAU (Germany): It is an honour for me, Mr. President, to speak today in the Security Council under your able guidance. Your vast experience as a seasoned diplomat will serve you well in ensuring progress in the work of the Council under your able guidance.

The massacre of innocent civilians in Sarajevo has profoundly shaken the international community. These crimes must be stopped. The siege of Sarajevo must be lifted.

Germany, ever since the outbreak of fighting in the former Yugoslavia, has given full support to the efforts of the Security Council and of the Secretary-General of the United Nations to put an end to hostilities and achieve a peaceful settlement. Germany has also actively contributed to the European Union's peace efforts. Most recently Germany, together with France, initiated the European Union's Action Plan.

On 9 February 1994 the North Atlantic Council took decisions of great importance. It called for the withdrawal or regrouping

(Mr. Graf Zu Rantzau, Germany)

and placing under the control of the United Nations Protection Force (UNPROFOR), within 10 days, of the heavy weapons of the Bosnian Serb forces located in an area within 20 kilometres of the centre of Sarajevo, and excluding an area within 2 kilometres of the centre of Pale.

The decision of the Council of the North Atlantic Treaty Organization (NATO) is balanced because it also calls upon the Government of Bosnia and Herzegovina, within the same period, to place under UNPROFOR control its heavy weapons within the Sarajevo exclusion zone and to refrain from attacks launched from within the current confrontation lines in the city. If, after the 10-day deadline, non-authorized arms systems have not been withdrawn, the use of force will become inevitable in order to restore peace. Attempts by the Bosnian Serbs to undermine the deadline by obstructing negotiations will and can no longer be tolerated.

This is NATO's concrete answer to the Secretary-General's request of 6 February 1994. My Government has from the beginning supported the French and United States initiatives on which NATO's decision is based. My Government warmly welcomes the NATO Council's decision.

Let me emphasize: the decisions taken by the NATO Council and by the Council of the European Union cannot be seen as retaliation or as a desire for military action. They are part of the political process towards a negotiated settlement. Only when a political solution proves impossible is the use of force permitted to achieve the aims set out in Security Council resolutions 824 (1993) and 836 (1993).

My Government favours a political solution. So does NATO. The decision of the NATO Council is aimed at demilitarizing

(Mr. Graf Zu Rantzau, Germany)

Sarajevo and placing it under United Nations administration through negotiations and in agreement with the European Union's Action Plan.

The decision commends the European Union's political plan of action. This plan is based on the conviction that for moral and humanitarian reasons everything possible must be done to put an end to the bloodshed and suffering in the former Yugoslavia, and especially in Sarajevo.

We cannot accept this brutal aggression against innocent people. Germany has done its utmost to alleviate the suffering of these victims. Almost 400,000 refugees have found shelter in my country, more than twice as many as in all other European countries together. A total of 612 million Deutschmarks have been spent on humanitarian aid. It is not acceptable that delivery of humanitarian assistance is constantly hindered, that aid workers are threatened and attacked.

My Government has always supported the Bosnian Muslims in the search for a solution which secures the physical and political survival of the Muslims as a nation in their home State of Bosnia and Herzegovina. This implies above all a satisfactory territorial solution, including access to the Sava River and to the sea. Also, the city of Mostar should be placed under the administration of the European Union. My Government has offered to provide an administrator for Mostar.

(Mr. Graf Zu Rantzau, Germany)

My Government hopes that the NATO Council's decision will bring the political process forward. Towards this end my Government supports continued close cooperation between the United Nations and the European Union. Germany also welcomes an active, strong role for the United States of America. The support of the peace efforts by the Russian Federation will be of great importance.

The peace talks in Geneva continue. Without the necessary political will of the three conflicting parties they cannot be successful. The key to an end to the suffering lies in their hands. Against the will of the conflicting parties, a political solution cannot be found.

My country will spare no effort to help restore peace and stability in the former Yugoslavia.

The PRESIDENT: I thank the representative of Germany for his kind words addressed to me.

The next speaker is the representative of Malaysia, whom I now invite to take a place at the Council table and to make his statement.

Mr. RAZALI (Malaysia): I thank you, Mr. President, and the other members of the Council for convening this meeting. I am very happy, Sir, to see you presiding, knowing very well your sense of fairness and commitment to the issues that have to be properly addressed in this Council.

The decision by the North Atlantic Treaty Organization (NATO) Council to give a clear ultimatum to the Serbs to withdraw their heavy artillery was long overdue. That it has finally been taken and that it provides the promise of some respite for the beleaguered Bosnians in Sarajevo must be welcomed. Yet the next

(Mr. Razali, Malaysia)

few days will be critical. The Serbs have broken promises and pledges before, so what can be expected of this one? And how does one ensure against actions of subterfuge or partial compliance?

NATO has hemmed and hawed and threatened before about possible air strikes, but they have never taken place. The slaughter of the Bosnians has not stopped, nor has the "ethnic cleansing", because the Serbs have not taken NATO threats seriously. So what can one make of the new NATO resolve? Are we at last seeing NATO authority living up to responsibility and action, with the necessary political will to carry out the strikes, or are we to be disappointed again? Will the new resolve not be diluted and fudged, mired in the interplay of European power politics in the Balkans that has brought to grief so many tens of thousands of Bosnians?

My country, Malaysia, continues to have serious doubts about the commitment to bring about a just and honourable peace in Bosnia and Herzegovina, even when at every turn and opportunity we insist and plead for one. At a previous Council meeting on the subject of Bosnia and Herzegovina the Malaysian delegation appealed for moral and political leadership. No such effort has been forthcoming so far, unless this ultimatum is new evidence. In a few days we shall see. We have our doubts, but we accept that the ultimatum is an important, if small, step that can provide some semblance of justice to the Bosnians, if the air strikes follow upon non-compliance.

Also, the ultimatum is but a small part of a larger need for a comprehensive and just settlement of the conflict. There are at least five "safe areas" other than Sarajevo that must be protected from Serbian assault. NATO's readiness to use force must apply to

(Mr. Razali, Malaysia)

these areas, too. Of special concern is Bihac, where, with all eyes on Sarajevo, the Serbs threaten, at great peril to the people of Bihac. There is also the opening of Tuzla airport and the Srebrenica troop rotation, bogged down by Serbian intransigence. These objectives have to be pursued urgently, backed by the necessary firmness of authority that will make the Serbs calculate that it is in their best interest to comply. Given this first step, the countries of NATO must proceed even further for a just settlement.

The Malaysian Government has always maintained that firmness of authority and commitment are necessary to make the Serbs respond positively or comply. The Malaysian Government would appeal to the United States and other members of NATO that the recourse to credible threat of force should not apply only to Sarajevo. The stiffening of NATO authority can be used as a weapon to bring about genuine negotiations. One is made aware of the argument that if NATO should undertake the air strikes there will be retaliation against troops of contributing countries, which may mean some countries' pulling up stakes and leaving the scene, as the lives of their soldiers are far too precious, even if there are others that will stay behind. If that is the fear, and if some countries are prepared to abandon commitments made in the Council, and pack up and go away, then why not give the Bosnians the right to defend themselves with arms that they desperately require to take on the Serbs in a more equal combat? Why not allow more Muslim and other countries to contribute troops? Malaysia already has troops in Bosnia and Herzegovina, and we do not intend to abandon our commitments.

(Mr. Razali, Malaysia)

My delegation gives little respect to such arguments and manifestations of timidity. They only feed the Serbian war machine, making the Serbs appear invincible and unstoppable, intimidating the United Nations and threatening the United Nations Protection Force (UNPROFOR). This is a notion of which we must all be disabused, especially in the Security Council, or else this Council goes down the road of appeasement. If UNPROFOR is threatened, it must be sufficiently geared to resist and defend itself. If UNPROFOR cannot do the job, the Bosnians must be allowed to arm themselves and apply the right to self-defence and collective defence. There will be countries that will come to the aid of Bosnia and Herzegovina in that instance.

My delegation is aware of certain efforts to question the ultimatum given to the Bosnian Serbs. The Malaysian Government strongly opposes such a position, including the idea of a United Nations administration in Sarajevo. Sarajevo is the political capital, symbol and heart of Bosnia and Herzegovina's resistance against genocide and aggression. Nothing should be done to undermine that. The tragedy of Bosnia and Herzegovina and the tens of thousands that have died are to a large measure attributable to the actions of partisan European countries pushing and promoting one-sided interests, outside and inside the Security Council. Also, there can be no justification for preventing NATO from striking if the Serbs do not comply. The Secretary-General is fully armed and charged by resolutions 824 (1993) and 836 (1993) to proceed forthwith in the event that the Serbs do not comply within 10 days from the issuance of the ultimatum. There can be no equivocation on that score.

(Mr. Razali, Malaysia)

We must not forget that many people from all over were outraged by what happened in the market-place in Sarajevo. It was this outrage in the United States, Europe and elsewhere that galvanized public opinion, bringing about the ultimatum. People are, in fact, passing verdicts on Governments for inaction and political callousness and are demanding that wanton acts of terrorism in Bosnia be stopped. The massacre in Sarajevo is a clear act of terrorism, and one would have wished that there had been immediate punitive action against those that committed that massacre. There have been terrorist bombings elsewhere when important countries have retaliated immediately and in full rage, but this time the perpetrators are being spared unless they strike again.

There is an unpalatable element of inconsistency in this situation, which, with all the earlier sins of inaction, makes the tragedy of the Bosnians even more distressing. An independent, multi-ethnic Member of the United Nations has been raped and mutilated. Furthermore, to say now that the massacre gives more reason to negotiate is to pervert the overall negotiating process, especially if there are going to be actions and pressures to force the Government of Bosnia and Herzegovina to come to the table to accept an unjust peace. At this point, all pressure should be directed at the Serbs, who hold 70 per cent of Bosnian territory.

(Mr. Razali, Malaysia)

The Malaysian Government has always maintained that the central authority and responsibility for bringing about a comprehensive and honourable peace in Bosnia and Herzegovina lies with the Security Council, not the efforts in Geneva. It is our contention that the efforts in Geneva have deviated from the various relevant resolutions of the Council.

At a recent meeting that took place during the non-aligned conference in Jakarta, the Foreign Ministers of the Organization of the Islamic Conference in the Contact Group called for the convening of an appropriately restructured international conference on Bosnia and Herzegovina in conformity with the relevant resolutions of the Security Council and the General Assembly. It is their conclusion that the Geneva Conference has run its course and has deviated from the provisions of the resolutions of the Council. It is time for the negotiations to be held directly under the auspices of the Council, in New York.

It is also the position of the Malaysian Government that the efforts so far have not taken fully into account the serious implications of the provisions of the Convention on the Prevention and Punishment of the Crime of Genocide. The International Court of Justice, on 13 September 1993, declared itself

> "... not satisfied that all that might have been done has been done to prevent the commission of the crime of genocide in the territory of Bosnia and Herzegovina ... ." (Application of the Convention on the Prevention and Punishment of the Crime of Genocide, Provisional Measures, Order of 13 September 1993, I.C.J. Reports 1993, pp. 348-9)

This raises the question again of whether the Security Council arms embargo on Bosnia and Herzegovina remains valid in the

(Mr. Razali, Malaysia)

presence of evidence that maintaining the embargo favours or contributes to the commission of genocide. Resolution 713 (1991) of the Council cannot apply to Bosnia and Herzegovina in these circumstances. The most pressing issue before the Council, despite the obstacles placed by certain countries, is the lifting of the arms embargo on the Government of Bosnia and Herzegovina.

The PRESIDENT: I thank the representative of Malaysia for his kind words addressed to me.

The next speaker is the representative of Croatia. I invite him to take a place at the Council table and to make his statement now.

Mr. NOBILO (Croatia): My delegation believes that the decision by the North Atlantic Treaty Organization (NATO) to relieve the siege of Sarajevo follows the Security Council's logic of peace and is mandated by the Council's existing resolutions. We also believe that the Bosnian Serb side will abide by this decision if it is indeed ready for a peaceful settlement of the conflict in Bosnia and Herzegovina.

It is to be regretted that this decision was not made much earlier; if the international community had issued so firm an ultimatum to the Serbian side at the time when Vukovar, Dubrovnik and other Croatian cities were under brutal Serbian gunfire, hundreds of thousands of lives could have been saved and a peaceful settlement to the region's problems could have been secured much earlier. Yet we warmly welcome the consensus between the United States, the Russian Federation, the European Union and other countries finally to act together.

In fact, a number of measures against any side in Bosnia and Herzegovina that chooses not to abide by the peace logic on the

(Mr. Nobilo, Croatia)

ground should be considered. What is needed in Bosnia and Herzegovina is a carefully balanced policy of a credible threat of force and straightforward support for the peace plans at present under discussion. This approach must be founded on one essential principle: it is the Serbian aggression against Croatia and Bosnia and Herzegovina that started the biggest European crisis in the last 40 years and that remains the core of regional instability.

This aspect of the conflict must guide all possible actions with respect to the balance of power in the region. It must also guide all humanitarian efforts and all proposals for a political settlement in the region. If Belgrade's aggression is allowed to go unchecked, even in political terms, it is bound to return and to spill over, probably at even greater cost to the international community.

The Government of the Republic of Croatia, aware of the fact not only that the war in Bosnia and Herzegovina would come at enormous cost in human life, but also that the security and stability of Croatia would be seriously affected by it, has always advocated a peaceful, political settlement of the conflict. We firmly believe that continued warfare and human suffering can lead only to a permanent polarization between the nations of the former Yugoslavia, the type of polarization that neither outside force nor international law can overcome. This is why my Government accepted the Vance plan for Croatia, and this is why my Government advocated first the Cutiliero plan, then the Vance-Owen plan and the Owen-Stoltenberg plan for Bosnia and Herzegovina, and now the European Union Action Plan for Croatia and for Bosnia.

We believe that accepting international mediation is the best policy under the circumstances. Of course, there were better

(Mr. Nobilo, Croatia)

solutions. After what has happened, however, there are no longer any ideal solutions for Bosnia and Herzegovina: there are only least painful solutions.

The Bosnian conflict is doubly tragic, first because of the lack of appropriate international response in the beginning, and, secondly, because, as the Council is well aware, the victims in this war have been, primarily and overwhelmingly, Bosnian civilians and not military personnel. My Government, particularly because of the latter fact, will continue to support a political settlement of the conflict, and in this regard stands firmly behind the European Union Action Plan of 22 November 1993.

Furthermore, it is the view of my Government that the Council should also give its unequivocal support to the European Union Action Plan. The Council must be aware that the parties have been negotiating for more than a year now, and that this process must reach fruition quickly, despite some local political opposition, for the benefit of the innocent people of Bosnia and Herzegovina. The longer we allow the settlement to be delayed, the more likely is a permanent polarization of the three communities. Such a delay would be more costly not only for the civilian population in the region, but also for the international community.

My Government has not only supported the international community's intermediation in the region, but has also been at the forefront of promoting bilateral political solutions, beginning with President Tudjman's peace initiative of 2 November 1993, and it has been at the forefront of contributing towards the international community's humanitarian policy in respect of Bosnia and Herzegovina. Croatia has already spent an estimated $832 million in direct financial outlays for the care of 280,000

(Mr. Nobilo, Croatia)

(Bosnian refugees - mostly Muslim - in Croatia, and has provided logistic support for other operations essential for the functioning of the Sarajevo Government.

My Government's 19 January 1994 joint declaration with the Belgrade authorities should be viewed in the same way as my Government's 7 February 1993 agreements with Slovenia and the 10 January 1993 treaty proposal to the Bosnian Muslim side. None of these documents can be viewed as an alliance against the non-participating States, but as an alliance for peace with all sides.

Tuesday's joint statement by the Foreign Minister of Croatia and the Prime Minister of Bosnia and Herzegovina is a further step in the direction of an alliance for peace. The agreement, reached in a friendly and constructive atmosphere, requests international control of the borders of Bosnia and Herzegovina, in accordance with Security Council resolution 787 (1992) and resolution 838 (1993). It also calls for a cease-fire agreement between the Bosnian Croat army and the Bosnian Muslim army within seven days. Further, it was agreed to intensify the talks regarding the unconditional exchange of all detainees; to secure the return of all refugees after the establishment of peace, irrespective of future political arrangements; and to intensify negotiations on all models for future relations between the constituent nations in Bosnia and Herzegovina, and between the two States.

(Mr. Nobilo, Croatia)

This agreement, like the Declaration with Belgrade, follows the logic of peace and not the logic of war. That logic, we firmly believe, will also lead to an acceptable resolution of the issue relating to the presence of elements of the Croatian army on the territory of Bosnia and Herzegovina. I am pleased to inform the Council today that my Government has already approached the Secretary-General to consider a mechanism that would meet the demands of the Security Council's presidential statement of 3 February 1994.

In conclusion, I must emphasize that it is very much in the interests of Croatia that the conflict in Bosnia and Herzegovina should come to an end. Croatia may be a hostage to the war in Bosnia and Herzegovina in more ways than one. Consider, for instance, that Croatia is pursuing a peaceful dialogue with the Serbs in Croatia, while some promote more war between Serbs and Croats, on behalf of Muslims, in Bosnia and Herzegovina. Consider, too, the plight of Croatian citizens of Bosnia and Herzegovina under siege by the Bosnian Muslim army in the encircled enclaves of Vitez, Kiseljak, Zepce and Usora. In those enclaves there are about 150,000 civilians whom the Security Council cannot protect, even though it is equally obliged to do so under its humanitarian mandate, while Croatian public opinion and basic moral law demand that they be provided for.

These paradoxes are two of many about the Bosnian conflict that make a solution so difficult. But a solution must come - through negotiation. A military solution to the hundreds of similar paradoxes would lead to an abyss of despair. The Council can avoid that abyss at this critical time by remaining determined to stay the course set forth in the 9 February 1994 decision of the

(Mr. Nobilo, Croatia)

North Atlantic Treaty Organization (NATO) and by giving its full and unconditional support today to the European Union Action Plan of 22 November 1993.

The PRESIDENT: The next speaker is the representative of Austria. I invite him to take a place at the Council table and to make his statement.

Mr. SUCHARIPA (Austria): Mr. President, I am glad to see these important Security Council proceedings taking place under your most able guidance and leadership.

The brutal shelling of innocent civilians in Sarajevo, to which most previous speakers have referred and which culminated in the horrible massacre we all had to witness on our television screens, has sent shock-waves throughout the world. We can only concur with the statement of the Chairman of the Commission on Human Rights that this deliberate and indiscriminate killing is part of a pattern of despicable and outrageous violations of international humanitarian law and human rights.

On 25 September 1991 the Security Council met for the first time to discuss the situation in the former Yugoslavia, and, deeply concerned by the ongoing fighting, it appealed to all parties to settle their disputes peacefully and through negotiations. Since then the Security Council, after careful consideration, has adopted a great number of resolutions and statements which, again and again, emphasize basic principles such as the need to respect the sovereignty, territorial integrity and political independence of Bosnia and Herzegovina, the inadmissibility of the acquisition of territory by force, the condemnation of the practice of "ethnic cleansing" and the need for an immediate cessation of all hostilities and for the unhindered flow of humanitarian assistance.

(Mr. Sucharipa, Austria)

Most of these important decisions have been ignored. Thus, fundamental principles of international conduct as enshrined in the Charter of this Organization have been gravely and repeatedly violated. This unfortunate tendency to disregard basic norms of international law is also seen with regard to other crises, a fact which only underlines the seriousness of the situation.

The horrible images of the Sarajevo massacre, combined with the knowledge of tragedies caused by war and internal strife in other regions of the world, remind us forcefully of the need to restore the credibility of the international system to which we all adhere. This can only be achieved through full implementation of and compliance with all relevant decisions adopted in competent international forums.

As a first and vital step in this direction, the Security Council's decision designating Sarajevo and other Bosnian towns as safe areas should be enforced. This would at last give a sign of hope to the suffering people of Bosnia and Herzegovina.

Events over recent months have proved beyond any doubt that it is simply not enough to adopt resolutions and declare safe areas, but that a concrete and firm willingness to follow up on those resolutions is necessary. The siege of Sarajevo and other towns and villages, and the constant attacks on them, resulting in tragic loss of civilian life - for which the Bosnian Serbs undoubtedly bear primary responsibility - must be brought to an end.

The now apparent resolve actually to enforce previous resolutions, if necessary through concrete measures taken in conformity with those resolutions, inaugurates a new phase of active involvement by the international community to stop the carnage in Bosnia and Herzegovina. Austria supports this new

(Mr. Sucharipa, Austria)

stance of the international community, and we fully acknowledge the major role played in this regard by the Governments of France and the United States, as well as the clear position taken by the Secretary-General.

We hope that this resolve will convince the parties concerned that they all stand to gain from a process of serious negotiations leading towards a political solution. This political settlement must be based on all the fundamental principles of the Conference on Security and Cooperation in Europe (CSCE) and the relevant Security Council resolutions. Any other course of action would only engender further conflicts in the future.

The humanitarian assistance which has been provided by the international community under the most difficult circumstances, as essential as it is, must not become a fig leaf for our conscience. The political endeavours that have been undertaken so patiently over the past months must now yield results if they are not to become an end in themselves.

The peoples of former Yugoslavia have endured untold suffering. In this eleventh hour, a determined effort towards peace is called for. Thus we would hope that the current cease-fire arrangement, as well as the concentration of heavy weapons under the control of the United Nations Protection Force (UNPROFOR), which has at least begun to be implemented, are signs of a sincere change of attitude. Otherwise, military force exerted in the name of the international community will be the only recourse remaining.

The PRESIDENT: I thank the representative of Austria for the kind words he addressed to me.

The next speaker is the representative of Norway. I invite him to take a place at the Council table and to make his statement.

Mr. HUSLID (Norway): Let me say at the outset, Sir, that we are very glad to see you in the presidential chair of the Security Council.

My Government strongly regrets that it has not yet been possible to achieve peace in Bosnia and Herzegovina. The situation is a deep political and human tragedy. We have seen naked aggression, and situations in which village has turned against village and where ethnocentrism has replaced tolerance. Fundamental principles of human rights and international humanitarian law have been violated, and continue to be violated. From a humanitarian point of view, the world community is deeply shocked at the number of dead and wounded, the more than 3 million refugees and the even larger number of innocent civilians who are now suffering through their second winter.

(Mr. Huslid, Norway)

The recent tragic events in Sarajevo, resulting in the death of numerous innocent civilians, tell us that our common responsibility to reach a political solution in the former Yugoslavia is more obvious than ever. We reiterate our strong support for the negotiating process and for the two co-chairmen, Lord Owen and Thorvald Stoltenberg. There is no viable alternative to a negotiated settlement.

The initiative by the Secretary-General, followed by the response of the North Atlantic Council on 9 February, must be regarded as part of a political strategy to induce the parties involved to reach peace through negotiations. It is a positive factor that the situation on the ground has improved since. The demobilization continues, but there are examples of breaches in the cease-fire that worry us.

Norway associates itself with the decision by the North Atlantic Council taken on 9 February. There are limits to what the international community can accept in terms of human suffering before concrete action must be taken. It is ultimately the responsibility of the Secretary-General to decide on the steps that may be taken, as the overall political authority rests with the United Nations. Knowing that he can ultimately request air strikes, it is now up to the Secretary-General to monitor the situation, and to build on this political signal in order to further the peace process.

The decisions that have been taken demand strict respect for the safety of the United Nations Protection Force (UNPROFOR) personnel and for the humanitarian relief workers throughout Bosnia and Herzegovina. As a large troop contributor to UNPROFOR, and as

(Mr. Huslid, Norway)

one of the largest contributors to the humanitarian relief operations, my Government would like to emphasize this point.

On behalf of the Norwegian Government, I reiterate our support for the Secretary-General's initiative and express my deep-felt sympathy for the children, women and men whose lives are endangered by war, hunger and the extreme living conditions in the former Yugoslavia. Their plight makes it incumbent upon all of us to support the peace process and to end this meaningless war.

The PRESIDENT: I thank the representative of Norway for his kind words addressed to me.

The next speaker is the representative of Egypt. I invite him to take a place at the Council table and to make his statement.

Mr. ELARABY (Egypt) (interpretation from Arabic): First, I would like to congratulate you, Sir, on your assumption of the presidency of the Security Council for this month. There is no doubt that your great experience and well-known wisdom, not to mention the fact that you are a seasoned diplomat, will guide the Council towards acceptable outcomes with regard to the current crisis. I would also like to thank your predecessor, Ambassador Karel Kovanda, Permanent Representative of the Czech Republic, for his efforts during his presidency last month.

The Security Council is today examining the continuing military aggression against Bosnia and Herzegovina. There can be no doubt that the sudden attack against the city of Sarajevo on 5 February is just one further episode in a long succession of armed acts of aggression - arbitrary and genocidal acts against the Muslims in Bosnia and Herzegovina before the eyes of the world.

The Egyptian delegation has frequently had occasion to warn the Council about its lack of firmness in adopting measures under

(Mr. Elaraby, Egypt)

by the Charter to bring an end to the aggression in Bosnia and Herzegovina. It is now clear that the Security Council must act immediately and adopt the necessary measures in order to bring an end to this loathsome humanitarian tragedy. If the Security Council fails in this its credibility and the credibility of the international community as a whole will be seriously threatened.

International legitimacy has been undermined, and there can be no doubt that procrastination in the face of aggression will have serious effects throughout the world. This is why the Security Council must base itself on the experience of the last two years. Indeed, it has adopted more than 40 resolutions on this crisis, many of them under Chapter VII of the Charter. Yet these resolutions have remained dead letters. What is more, in many cases they contradict one another. It has also been noted that over the last six months the Council has procrastinated in its examination of the problem and has tended to fall back on international mediation within the framework of political negotiations which have, of late, exhibited a new tendency towards sanctioning what has been gained by aggression and legitimizing military occupation, despite the fact that its resolutions do not accept such occupation or this tendency. The political negotiations under way in Geneva are currently at an impasse, and the international community cannot accept that the only means of settlement still open should be the evacuation of the Muslim people from the Republic of Bosnia and Herzegovina.

The dangerous events that have taken place recently in Sarajevo make it imperative that the international community act immediately and firmly, on the ground, in order to prevent an escalation of the conflict. The Security Council adopted

(Mr. Elaraby, Egypt)

resolution 836 (1993), which permits the use of air strikes to ensure the protection of the safe areas of Bosnia and Herzegovina. It permits this in two events: first, if there is a new bombardment or a new violation of the safe areas, not only of Sarajevo but of all the zones specified by the Security Council; and secondly, if the Serbs should fail to respect the ultimatum to remove their heavy weapons from Sarajevo within the prescribed deadline.

(Mr. Elaraby, Egypt)

Today the Security Council must take the following urgent measures, which are now absolutely vital, to save the people of Bosnia and Herzegovina and preserve that country's rights as a Member State of the United Nations.

First, the Council should implement previous Security Council resolutions, such as those concerning a cease-fire and the use of international force, including air strikes against Serb targets and the military bases from which Serb offensives against Bosnia and Herzegovina are launched, in accordance with resolutions 824 (1993) and 836 (1993). In this regard, the Egyptian delegation thanks the Secretary-General for the initiative set forth in the letter he sent to the Secretary-General of the North Atlantic Treaty Organization (NATO) on 6 February, in preparation for air strikes against targets and bases from which offensives against the civilian population of Bosnia and Herzegovina are launched.

Secondly, Bosnia and Herzegovina, which is in fact the victim of aggression, should be exempted from the arms embargo declared against the former Yugoslavia in resolution 713 (1991), so that the Government of Bosnia and Herzegovina can ensure its self-defence under Article 51 of the Charter. Continuing the embargo against the victim, while the aggressor is strengthened in his aggressive positions, is contrary to the terms of the Charter and the most elementary rules of justice.

Thirdly, it is necessary to ensure that any settlement is peaceful and just so that it will be lasting. This is why the Security Council must assume the primary responsibility for bringing about a settlement, after the failure of all other international efforts.

(Mr. Elaraby, Egypt)

The Security Council must exercise its prerogatives in order to bring about a peaceful resolution. This requires, first, its examination of settlement plans existing within its resolutions, in order to ensure that these plans are in keeping with the spirit and letter of the Charter, the norms of international law and its own resolutions, which set out the framework for any peaceful settlement. The territories the aggressor has conquered by force must not in any case be the basis for a settlement, and the international community must not depart from the rules of international legitimacy recognized in today's world, for that would mean a return to the law of the jungle and chaos, and we would be giving the aggressor licence to strike.

Secondly, the Security Council must directly oversee the negotiations, because it is the body which determines the mandate of the Secretary-General's Special Representative, who, in turn, must scrupulously abide by the previous resolutions of the Security Council. The Special Representative must in no circumstances deviate from the mandate given him by the Council. He must also return to the Council and report to it on the evolution of the situation on the ground, and he must not make any amendments to the settlement plan contrary to the terms of the Council's resolutions without its prior authorization. Now is the time to change the mandate of the negotiations in Geneva, as well as the team charged with those negotiations, if we want them to succeed.

Thirdly, the expansion of participation in the negotiations must be considered, with a view to enabling certain States which have contributed to the United Nations forces and certain members of the Islamic Contact Group dealing with Bosnia and Herzegovina, as well as neighbouring countries, to participate in them.

(Mr. Elaraby, Egypt)

Fourthly, we must support the work of the International Tribunal for the prosecution of war crimes in the former Yugoslavia and that of the Commission of Experts created by Security Council resolution 780 (1992), and presided over by Mr. Sherif Bassouni, by furnishing them with the necessary funds.

The Egyptian delegation would remind the Security Council, and through it the international community as a whole, that it is imperative to respect the cultural and historic character of the city of Sarajevo. This is a common responsibility of the international community, for on it depends the credibility of the contemporary international order. Otherwise, we would be sounding the death knell of the system of peace and security in Central Europe, and the danger could very well spread to other regions of the world.

Egypt is a contributor to the United Nations Protection Force (UNPROFOR), providing military contingents and equipment as well as police forces. However, we feel that the existence of international troops in Bosnia and Herzegovina should not be used as an excuse to prevent direct international intervention under the aegis of the United Nations.

The Serbs must understand that the international forces are not parties to the conflict. They simply represent international legitimacy and guarantee international protection to threatened areas. The Egyptian delegation therefore believes that the Security Council must send a message to the Bosnian Serbs in the form of an unequivocal letter stating specifically that any aggression against Bosnia and Herzegovina is an act of aggression against the international community that will have serious consequences.

(Mr. Elaraby, Egypt)

The credibility of the Security Council is at stake. The Council must act firmly, rapidly and unambiguously to enforce respect for international legality and guarantee respect for human rights, with objectivity, without discrimination and without applying double standards, by seeing to it that its resolutions are respected by all, great or small.

The PRESIDENT: I thank the representative of Egypt for the kind words he addressed to me.

The next speaker is the representative of Afghanistan. I invite him to take a place at the Council table and to make his statement.

Mr. FARHADI (Afghanistan): Let me first of all, Sir, express my delegation's felicitations on your assumption of the presidency of the Security Council for this month. We are sure that your qualities as an experienced diplomat will contribute to satisfactorily conducting the work of the Council on this and other important issues. I should not fail also to convey my delegation's gratitude also to His Excellency Ambassador Kovanda, Permanent Representative of the Czech Republic, for ably discharging his responsibilities as President of the Council for the month of January.

In the earlier stages of the deplorable Bosnian tragedy the delegation of Afghanistan took part in the debates of the Security Council and expressed its views in the meetings of 16 November 1992, 19 April 1993 and 26 June 1993 and in the plenary meeting of the General Assembly on 17 December 1993.

In the General Assembly, the delegation of Afghanistan said:

> "The Serbs are now redeploying troops, tanks and other heavy weaponry to new positions around the city and are preparing for more aggressive acts." (Official Records of the General Assembly, Forty-eighth Session, Plenary Meetings, 83rd meeting, p. 16)

In the same plenary meeting of the General Assembly, the Afghanistan delegation expressed its view that

> "An ultimatum should be issued to the Serbs, before the air strikes, once and for all to cease their shelling, remove their heavy weapons from the vicinity and lift the siege." (Ibid.)

In its resolutions 824 (1993) and 836 (1993), the Security Council recognized the full authority of the Secretary-General of the United Nations to authorize air strikes on the Serbian

(Mr. Farhadi, Afghanistan)

positions around Sarajevo or other Bosnian cities. No further approval is therefore to be sought from the Security Council.

Those who have no other argument and means of action but force recognize only force. That is why, shortly after the firm announcement of the North Atlantic Treaty Organization (NATO), the Bosnian Serbs' attitude underwent a basic change. This confirms our assessment that the attitude of indecision, in the eyes of the aggressors, was a sign not only of indifference but of the very lack of credibility of NATO. The new situation also constitutes a major lesson for the future. Only a firm and decisive stand by the Security Council and by NATO can have a real impact on the attitude of the aggressors.

The delegation of Afghanistan, in the aforementioned statements before the Security Council, has maintained that Security Council resolution 713 (1991), which imposed an arms embargo against the former "Yugoslavia", cannot be applied in the case of Bosnia and Herzegovina. This view was supported by an independent legal organization, the International Fellowship of Reconciliation, based in Geneva, the statements of which are recorded in a document of the Sub-Commission on Prevention of Discrimination and Protection of Minorities, Commission on Human Rights, of 7 September 1993.

The delegation of Afghanistan is certain that the Security Council never intended or extended its resolution 713 (1991) to be validly applicable with regard to Bosnia and Herzegovina. There is no Security Council resolution or any other legal authority superseding, or in any way limiting, the membership rights of Bosnia and Herzegovina under the United Nations Charter, including,

(Mr. Farhadi, Afghanistan)

in particular, those related to individual and collective self-defence, as set forth in Article 51.

No embargo remains valid in international law in the presence of evidence that maintaining the embargo in question favours or contributes to the commission of genocide.

Attention should be paid to the aggressive intentions of the Bosnian Serb forces in other cities of Bosnia and Herzegovina recognized as "safe areas", such as Bihac in the northwest and Gorazde, Zepa, Srebrenica and Tuzla in the east.

The siege of Sarajevo and that of other Bosnian towns are the most important contributors to human suffering and are the most significant deterrent to constructive peace talks. Allowing the siege is morally and legally reprehensible and strategically fatal. The strangulation of Bosnian cities continues, and the United Nations, especially the Security Council, is historically responsible for this unbearable and perilous situation.

Such a policy of strangulation of the cities, basically genocidal, has to be resisted, punished and defeated by Europe, by the United Nations and by all of humanity.

Let me recall the Order of 8 April 1993 of the International Court of Justice, in which it directed the Government of Yugoslavia (Serbia and Montenegro) to take all measures within its power to prevent the commission of the crime of genocide, whether directed against the Muslim population of Bosnia and Herzegovina or against any other national, ethnic, racial or religious group.

In the case of the genocide practised by the Serbs, we note that the International Court of Justice, in its Order of 13 September 1993, also observed that

(Mr. Farhadi, Afghanistan)

"... all parties to the Convention have thus undertaken to prevent and to punish the crime of genocide" (Application of the Convention on the Prevention and Punishment of the Crime of Genocide, Provisional Measures, Order of 13 September 1993, I.C.J. Reports 1993, p. 348)

whereas the Court declared itself

"... not satisfied that all that might have been done has been done to prevent commission of the crime of genocide in the territory of Bosnia and Herzegovina ... ." (ibid.)

Since the Court's Order of 8 April 1993, and in accordance with the opinion of one of the Judges, Security Council resolution 713 (1991), concerning an arms embargo against Yugoslavia cannot be "valid and binding in its operation against Bosnia and Herzegovina" least it "make Members of the United Nations accessories to genocide".

The war criminals, who are well-known figures, must be brought to justice. Their prosecution would be a deterrent against further genocide.

Many delegations are increasingly worried about the future of the former Yugoslavia, including territories outside Bosnia. Europe must be deeply alarmed by the continuing systematic abuses committed by the authorities of Serbia and Montenegro, notably in Kosovo, Sandjak and Vojvodina, against Catholics, Muslims, Albanians, Bosnians, Croats, Hungarians and others. They are all covered by international minority protection guarantees stipulated by the Treaty of St. Germain-en-Laye of 10 September 1919, signed by the former Kingdom of the Serbs, Croats and Slovenes, and by France, Italy, Japan, the United Kingdom and the United States. Signatories or their successors bear the legal responsibility of

(Mr. Farhadi, Afghanistan)

implementing the 73-year-old Treaty in order to avert tragedies of a larger magnitude and scale.

A dreadful danger is threatening the Balkans and Europe. Fascism is not dead in Europe, and hegemonistic nationalism is increasingly becoming a perilous disaster for Eastern Europe. History, in this dawn of 1994, will consider responsible not only the States signatories of the 1919 Treaty but also all of us. We must take all the preventive actions we can.

In conclusion, my delegation is launching the idea of establishing a United Nations committee on the assessment of the war destruction in Bosnia. I hope other delegations will submit a draft resolution along this line. Such a committee's findings and continuous assessments would remind the Serbian authorities that Belgrade will have to pay for war reparations. This will serve as a major deterrent to further acts of aggression and destruction in this tragic case and also constitute a major legal precedent.

The PRESIDENT: I thank the representative of Afghanistan for the kind words he addressed to me.

The next speaker is the representative of Turkey. I invite him to take a place at the Council table and to make his statement.

Mr. BATU (Turkey): I congratulate you, Sir, on your assumption of the presidency of the Security Council for the month of February. We are confident that under your able guidance the Council will successfully carry out its responsibilities. I should also like to pay a tribute to Ambassador Kovanda of the Czech Republic for the remarkable manner in which he conducted the work of the Council in January.

In the letter (S/1994/135) of 8 February 1994 addressed to the Council, the members of the Contact Group on Bosnia and Herzegovina of the Organization of the Islamic Conference called for this urgent meeting of the Council to consider the extremely grave situation resulting from the massacre of Bosnian civilians in Sarajevo by Serb gunners. It is with this understanding that we welcome this meeting and hope it will contribute to the emerging determination of the international community to act against the aggressors.

On 5 February 1994 we were shocked by horrifying scenes from a marketplace in Sarajevo and realized once again how brutal and dastardly the Serbian atrocities could become. This terrorist bombardment, which killed and maimed over 200 civilians, reflects again the blatant defiance of the will of the international community by the Serbian side. Despite numerous Security Council and General Assembly resolutions, the international community has been able neither to put an end to the ongoing genocide nor to roll back the aggression in Bosnia. On the contrary, the inability to

(Mr. Batu, Turkey)

implement the resolutions that have been adopted has encouraged the aggressors to proceed further with their genocidal campaign.

Yet we see the last decision of the North Atlantic Treaty Organization (NATO) Council, taken upon the request of the Secretary-General, belated as it may be, as a step in the right direction. We actively participated in the formulation of this decision. In fact, the option of air strikes to silence the Serbian artillery in and around Sarajevo has been favoured by my Government since the beginning of the tragedy in Bosnia. In August 1992 we proposed a plan similar to the latest NATO decision. Had our plan been implemented at a much earlier stage, it would have spared the people of Sarajevo the unspeakable horrors they have been experiencing since then. The international community, regrettably, turned a deaf ear to our calls and other, similar appeals for firm action at that time. Only after 22 months and the loss of 200,000 lives have we seen a modestly growing awareness that appeasement is no policy, but is, rather, partnership in wrongdoing.

If we cannot stop the aggression now, Bosnia will inevitably turn into a permanent battleground. The Bosnian people are totally disappointed and seem to have lost all their confidence in the international system. They feel that they have been betrayed by the international community. Therefore, the aggressors should not this time be allowed to continue with their defiance of international law. It is high time our deeds matched our words. If the Serbs do not comply with the demands of NATO, they should be aware of the fact that air strikes will be carried out to silence their artillery positions in and around Sarajevo. The wrong

(Mr. Batu, Turkey)

signals sent to the Serbs by our inaction are, at long last, coming to an end.

Security Council resolution 836 (1993) provides a clear legal framework for the use of all necessary means, including air strikes not only against the Serbian positions around Sarajevo but also for the defence of all other "safe areas". The Secretary-General has our total support for the implementation of the concrete set of measures defined in the NATO decision.

We believe that the peace negotiations can produce a just and viable settlement only if the legitimate demands of the Government of Bosnia are met. Peace cannot and should not have priority over justice. History has shown us that a peace based on injustice has never been a lasting one.

It is in line with this reasoning that we should like to hope the marketplace massacre in Sarajevo will not be used as a pretext for putting further pressure on the victims to make them sign a peace plan that will not meet their legitimate concerns and demands. There is no ethical ground on which to ask the victims of "ethnic cleansing" and aggression - the Bosnians - to accept that they are the losers. Such an attempt would further undermine the credibility and moral authority of the United Nations.

Turkey is strongly in favour of a negotiated settlement. However, such a settlement should be just and viable. In addition, we hold the view that it cannot be negotiated when the aggression and genocide are going on incessantly. First, an atmosphere conducive to credible negotiations should be created. We are still far from that. Unfortunately, there are alarming reports that, as the attention of the world focuses on Sarajevo, the heavily armed Serbian side has been conducting a fierce offensive against the

(Mr. Batu, Turkey)

town of Bihac, which is one of the so-called United Nations safe areas.

The sooner the aggressors lay down their arms all over Bosnia and Herzegovina, the better the chances for peace talks to proceed. The good will of the Bosnian Government is reflected by its voluntary agreement to place its heavy weapons in Sarajevo under United Nations control, despite the fact that the relevant resolutions of the Security Council do not require them to do so.

The terrorist shelling of Sarajevo underlines the urgency of bringing the perpetrators of crimes against humanity before the International Tribunal set up under Council resolution 827 (1993). We need a quick prosecution process. The accountability of the perpetrators of the war crimes constitutes one of the main pillars of a credible deterrence against aggression. Furthermore, the diplomatic isolation and economic embargo imposed on the aggressor should, in case of continuing non-compliance, be tightened.

Yet nothing is more important for deterrence than letting the Bosnians acquire the means to exercise the right to self-defence. The arms embargo imposed under Security Council resolution 713 (1991) is in clear contradiction of Article 51 of the United Nations Charter. We should like the Council to clarify the legal opinion that its resolution 713 (1991) does not and should not apply to the Republic of Bosnia and Herzegovina.

A deadline is finally set for Serbian compliance with the Council resolutions. The NATO decision would be the first step towards ending the bloodiest aggression and cruelest crimes against humanity in Europe in 50 years. The Serbian side should be wise enough not to try to test our resolve and patience. They must stop their attacks throughout Bosnia and Herzegovina immediately. They

(Mr. Batu, Turkey)

should bear in mind that resolution 836 (1993) stipulates the commitment of the United Nations to defend not only Tuzla, Srebrenica and Sarajevo, but all six United Nations "safe areas".

We hope that the aggressors and their collaborators will be listening to this debate very carefully. We hope that they will heed the message of indignation and determination coming from the international community. We should be determined not to allow the naked use of force to be rewarded or the crimes committed in Bosnia to go unpunished. Turkey will continue actively to support the valiant people of Bosnia and Herzegovina in their struggle for survival, justice and democracy.

The PRESIDENT: I thank the representative of Turkey for his kind words addressed to me.

I should like to inform the Council that I have received a letter dated 14 February 1994 from the Acting Permanent Representative of Pakistan to the United Nations, which reads as follows:

"On behalf of the members of the Organization of the Islamic Conference Contact Group on Bosnia and Herzegovina, I have the honour to request that the Security Council extend an invitation to His Excellency Mr. Mohammad Peyrovi, Ambassador, Deputy Permanent Observer of the Organization of the Islamic Conference to the United Nations, to address the Council under rule 39 of its provisional rules of procedure in the course of the Council's consideration of the item 'The situation in the Republic of Bosnia and Herzegovina'."

That letter will be published as a document of the Security Council under the symbol S/1994/170.

If I hear no objection, I shall take it that the Council agrees to extend an invitation under rule 39 to His Excellency Mr. Peyrovi.

There being no objection, it is so decided.

The next speaker is the representative of Sweden. I invite him to take a place at the Council table and to make his statement now.

Mr. OSVALD (Sweden): Mr. President, allow me to express my own, and my delegation's, great satisfaction at seeing you preside over the Council's deliberations this month.

We were all shocked and outraged at the massacre in Sarajevo on Saturday, 5 February. The heinous terror against civilians must not be allowed to continue.

(Mr. Osvald, Sweden)

It has become necessary to strengthen further the role of the United Nations in preventing further carnage in and around Sarajevo and to promote a settlement of the conflict in Bosnia and Herzegovina. Such a settlement will require compromise from all parties. The illusion of temporary military advances will serve only to prolong the war and delay the peace.

Security Council resolution 836 (1993) mandates the United Nations Protection Force (UNPROFOR) to protect the "safe areas" Sarajevo is such an area. We fully support the Secretary-General's request to the North Atlantic Treaty Organization to prepare for the possible use of air power to bring about the implementation of resolution 836 (1993), and we welcome the recent decision by the North Atlantic Council to start preparing for such action if United Nations demands are not met by 20 February.

It is of special importance that the threat to use air power be seen as part of an essential political process aimed at a negotiated solution, and that such power be used only in full coordination with the UNPROFOR forces on the ground.

The conflict can never be settled from the air: it has to be settled essentially by political means, at the negotiating table. We do not wish to see an esca' tion of violence; we do not wish to see air strikes: they should be used only as a last resort.

The international community must be ready to assist the parties further in turning away from the horrors of war and in choosing the road to peace. Sweden commends the tireless efforts by Lord Owen and Mr. Stoltenberg to this effect. We also welcome the more active involvement by the United States in the peace process and also the constructive contributions from Russia. Political pressure must be kept up on all parties.

(Mr. Osvald, Sweden)

On the road to peace, the cease-fire and the withdrawal of all heavy weaponry from Sarajevo would constitute a first step, and we urge the parties to abide by this process. It is our hope that this first step will be followed by similar arrangements throughout Bosnia and Herzegovina, to be built upon in a negotiating process towards reconciliation, rehabilitation and rebuilding. It is a process in which we all have to contribute troops or other resources. It is a process that is long overdue.

UNPROFOR is now quickly adapting to the new situation. The role of the United Nations forces in any demilitarization of Sarajevo must not be jeopardized. Therefore, Member States must be ready to respond to the needs expressed by the Secretary-General and the Force Commander. The troops and equipment necessary for a credible performance by United Nations troops in Sarajevo, and in Bosnia and Herzegovina as a whole, should be provided without delay. As an important troop contributor, Sweden is looking forward to close consultations on this matter.

It is Sweden's opinion that the authority of UNPROFOR must be upheld and respected, and that the United Nations troops should act more firmly. The Security Council resolutions constitute a framework for a more determined United Nations stance in Bosnia and Herzegovina, but the safety of United Nations personnel must not be disregarded. The Nordic contingent should be fully deployed without delay.

The work and safety of UNPROFOR and the humanitarian agencies must be respected. Threats against aid workers cannot be accepted. By now, it should be obvious to the parties that a withdrawal of UNPROFOR and relief personnel would harm only the parties' own people. In this context, Sweden urges the parties to give their

(Mr. Osvald, Sweden)

consent to the opening of Tuzla airport. We also urge them to facilitate all humanitarian deliveries, including the airlifts to Sarajevo; Sweden is participating in such activities.

It is just and logical that today we should focus on stopping terror against Sarajevo and on giving that city real United Nations protection. But let us keep other aspects of the situation in former Yugoslavia in mind, and let the momentum achieved also contribute to the solution of these problems.

The sanctions regime against the Federal Republic of Yugoslavia (Serbia and Montenegro) has so far been the most effective means deployed by the international community. The sanctions must be upheld, and must not be lifted before we are assured that a peace agreement on Bosnia is really being implemented. A full normalization of relations with Serbia and Montenegro cannot begin until we have peace in Krajina and a fair solution concerning Kosovo.

No lasting peace can be reached if potential conflicts in the area are allowed to continue and if, as a consequence, hostilities spread to other parts of the region.

The Members of the United Nations have conferred on the Security Council the primary responsibility for the maintenance of international peace and security. The Council, in its decisions, acts on behalf of the Member States. Thus, the Council carries the ultimate responsibility for the implementation of its decisions regarding the conflict in the former Yugoslavia. It is our conviction that the Council will act with responsibility in its handling of the present situation. If it does so, the common commitment to peace in the area - and to international peace and security - will be strongly manifested.

The PRESIDENT: I thank the representative of Sweden for his kind words addressed to me.

The next speaker is the representative of Italy. I invite him to take a place at the Council table and to make his statement.

Mr. FULCI (Italy): I consider it an honour, and indeed a privilege, Sir, to speak for the first time in the Security Council under your presidency.

Like other members of the international community, Italy is appalled by the treacherous bombardment attacks that have taken the lives of so many innocent victims among the civilian population of Sarajevo. The news and pictures of these massacres have aroused the revulsion of all Italians. My Government has not limited itself to words of condemnation and condolence, but has promptly taken practical steps to alleviate the agony of the Bosnian people and the consequences of these devastating atrocities.

(Mr. Fulci, Italy)

While awaiting final verification of the responsibility for the cowardly attack against defenceless civilians on 5 February - the bloodiest since the start of the conflict - we must remember and once again very strongly condemn the continuous shelling of Sarajevo in recent weeks and months by the cannons of the Bosnian Serbs. It is our ardent hope that the perpetrators of this criminal act will be brought to trial before the International Tribunal on crimes committed in the former Yugoslavia, which, as we know, is now beginning to function.

As a founding member of the North Atlantic Treaty Organization (NATO), Italy actively participated in the adoption of the North Atlantic Council's decision of 9 February, a decision that we believe will prove to be a fundamental turning point in the international community's attitude to the Bosnian crisis. The NATO decision has already acted as a catalyst in the efforts by the United Nations and NATO to guarantee important new contributions to the search for a political solution. This confirms that if the United Nations and NATO wish to be successful in stopping the aggressions and to foster a political agreement, they can and must work in consonance.

We note with satisfaction that a 10-day deadline has been set for heavy weapons located within a 20-kilometre radius from the centre of the Bosnian capital to be withdrawn or placed under control of the United Nations Protection Force (UNPROFOR). This measure is imperative to prevent more killings. Equally important is the fact that if the parties fail to take these steps, the deadline will not be extended. Italy hopes that these new steps will induce the parties to assume full responsibility for, and to

(Mr. Fulci, Italy)

honour, the commitments they have made and to break the pattern of violations that has been repeated all too often in the past.

As is well known, NATO's decision provides for recourse, in close coordination with the Secretary-General of the United Nations, to air strikes against artillery or mortar positions that UNPROFOR has determined to be responsible for attacks on civilians in Sarajevo, and also against heavy weapons that have not been withdrawn or placed under UNPROFOR control by the 10-day deadline. In that regard, I wish to confirm to the Security Council that Italy has already placed its military bases and airports at the full disposal of the Atlantic Alliance.

At the same time, my country emphasizes that eventual recourse to air strikes should not be seen as either an act of retaliation or a response to the stalling of the negotiating process. It is a means of pressuring the parties to return to reason, to induce them to make every effort to reach an understanding. Italy, in fact, firmly believes that the only possible way to achieve a lasting solution to the Bosnian conflict is through negotiations aimed at finding a comprehensive, equitable agreement among the three parties concerned. As Italy's Foreign Minister, Mr. Beniamino Andreatta, has stated in his capacity as Chairman-in-Office of the Conference on Security and Cooperation in Europe (CSCE), NATO's decisions are

> "a first essential step - which can hopefully be extended to Mostar and Central Bosnia - towards a negotiated solution to the conflict in Bosnia and Herzegovina, which continues to be the objective of the international community in general, and the CSCE in particular".

(Mr. Fulci, Italy)

In this regard, it is important to emphasize that NATO's efforts to lift the siege of Sarajevo should be seen in the light of the European Union Action Plan, which has received the endorsement of the Atlantic Alliance. Italy fully supports that plan drawn up by the European Union - which is aimed at, among other things, obtaining an immediate end to the siege of Sarajevo - and will make every possible contribution to its advancement. Geographic vicinity as well as historical and cultural relations have made Italian public opinion very sensitive to the events that are taking place in Bosnia and Herzegovina, and to the need for a just and lasting peace between the various ethnic and religious groups. After all, for centuries they have lived and worked together in peace in Bosnian territory.

Needless to say, the dynamic of the events in Bosnia confirms the essential role of UNPROFOR forces both as a means of interposition between the parties and as an essential instrument for the delivery of humanitarian aid. We highly commend their courage and self-sacrifice under the most severe and trying circumstances.

From this forum, Italy wishes to launch an appeal to the three parties in conflict to exercise restraint and to demonstrate the political will and determination to reach a negotiated solution. Italy launches an appeal to all those who can do so to exert influence with renewed vigour on the warring parties. Italy launches an appeal to those Member States contributing troops to UNPROFOR and granting humanitarian aid, to non-governmental organizations, to international agencies and to all people of good will not to relent in their efforts. A peaceful solution for the

(Mr. Fulci, Italy)

war-torn land of Bosnia can indeed be attained, but only if we all persevere.

The PRESIDENT: I thank the representative of Italy for the kind words he addressed to me.

The next speaker is the representative of the Islamic Republic of Iran. I invite him to take a place at the Council table and to make his statement.

Mr. KHARRAZI (Islamic Republic of Iran): At the outset, Sir, I would like to congratulate you on your assumption of the presidency of the Security Council for the month of February. I am confident that with your leadership and diplomatic skills the Security Council will be guided effectively this month.

I wish also to thank the Permanent Representative of the Czech Republic for the able manner in which he presided over the Security Council during the month of January.

(Mr. Kharrazi, Islamic Republic of Iran)

This is not the first time that the Security Council has considered the tragic situation of Bosnia and Herzegovina. Over the last two years, many resolutions and statements have been issued by the Council. The aggressors have violated all these decisions time and again, whether when the cessation of hostilities was called for or when the Security Council designated some cities in the Republic of Bosnia and Herzegovina as "safe areas". We should admit that lack of resolve and decisiveness on the part of the Security Council against the blatant Serbian aggression has convinced the Serbs that they can continue their aggression and "ethnic cleansing" with impunity. The continued acts of aggression, genocide and "ethnic cleansing" perpetrated by Serbs against the Bosnian people confirm that the international community has failed miserably to stop this savagery. Resolutions calling for the protection of "safe areas", including Sarajevo, and demanding the lifting of the siege on this town have remained dead letters. Had the Security Council acted properly and expeditiously when its first resolution was violated by the Serbs, the defenceless people of Bosnia and Herzegovina would not be subjected to this continued brutality and genocide.

On Saturday, 5 February, all of us watched with great anguish and horror as the latest evidence of Serbian aggression was transmitted on our television screens. There is no doubt that these criminal acts are a continuation of the bombardment of Bosnian towns and villages that has occurred over the last two years and of an ongoing genocidal campaign by the Serbian aggressors. The two massacres, on 4 and 5 February 1994, have left no doubt that the Serbs are in total defiance of the will of the

(Mr. Kharrazi, Islamic Republic of Iran)

international community and that the Security Council has failed to stop this genocide. At this juncture, I wish to express the condolences and sympathy of the people and Government of the Islamic Republic of Iran to the people and Government of the Republic of Bosnia and Herzegovina.

Since the beginning of the crisis, many countries, including the Islamic Republic of Iran, have called on the Security Council to take urgent measures for reversing the Serbian aggression and implementing its resolutions adopted under Chapter VII of the Charter. However, the Security Council not only has been unprepared to shoulder its responsibility under Article 42 of the Charter, but has prevented the Republic of Bosnia and Herzegovina from exercising its inherent right to self-defence under Article 51 of the United Nations Charter. At this eleventh hour, the Security Council should at least allow Bosnians and those who are prepared to help that besieged Republic take action under Article 51 of the Charter to engage in individual and collective self-defence. Under the present circumstances, the least the international community can do is take the necessary measures, including using force, to lift the siege of Sarajevo and other cities, and to lift the unjust arms embargo against the Republic of Bosnia and Herzegovina.

The Islamic Republic of Iran believes that the recent moves to lift the siege of Sarajevo fall short of expectations. However, every effort should be made to ensure that all provisions of the recent ultimatum are met by the Serbs. In the event that the ultimatum is violated - either by further shelling or by failure to fully withdraw the Serbian heavy weaponry by the deadline - air strikes must be automatically initiated. It is clear that

(Mr. Kharrazi, Islamic Republic of Iran)

resolutions 824 (1993) and 836 (1993) authorize air strikes and that no further authorization is needed from the Security Council. Furthermore, the international community should be cognizant of the fact that the Serbs are poised to attack the other "safe areas". It is incumbent upon the Security Council to protect all "safe areas" in Bosnia, including Bihac, and the rest of the Republic of Bosnia and Herzegovina.

It is an unfortunate reality that some Powers have been pressing the Government of Bosnia and Herzegovina to accept surrender and an alleged peace, which will only be the beginning of further tragedy and "ethnic cleansing". It is unnecessary to emphasize that any settlement imposed on the Government of Bosnia and Herzegovina will be militarily unenforceable and morally unacceptable to the international community. Moreover, efforts are being made to appease the aggressors with promises of lifting the sanctions against Serbia. Any attempt to ease the diplomatic and economic isolation of Serbia and Montenegro will only encourage the aggressors to commit further crimes and genocide. The sanctions against Belgrade must continue as long as the relevant Security Council resolutions are not fully implemented.

Finally, I wish to reiterate the importance of bringing all those responsible for genocide in Bosnia and Herzegovina, including those responsible for the recent terrorist shelling of Sarajevo, to justice. The war crimes commission must continue its work and hold its trials as soon as possible.

In conclusion, I would like to say a few words about the peace negotiations. Earlier in my statement I warned about the dangerous trend some Powers are inclined to follow in pressing the Government

(Mr. Kharrazi, Islamic Republic of Iran)

of Bosnia and Herzegovina to accept a settlement. There is no need to emphasize that any negotiation inconsistent with the Security Council and General Assembly resolutions or with the United Nations Charter is doomed to failure. Various Security Council and General Assembly resolutions have provided principles for negotiations. With this in mind, my Government deems it necessary to relocate negotiations to New York.

The PRESIDENT: I thank the representative of the Islamic Republic of Iran for his kinds words addressed to me.

The next speaker is the representative of Azerbaijan. I invite him to take a place at the Council table and to make his statement.

Mr. ALIYEV (Azerbaijan) (interpretation from Russian): Permit me at the outset, Sir, to congratulate you on your assumption of the presidency of the Security Council. Your knowledge, your vast experience and authority are without a doubt a sure guarantee of the success of the work of the Council in strengthening international peace and security. I would like to thank particularly the Permanent Representative of the Czech Republic, Ambassador Karel Kovanda, for his fruitful work as President of the Security Council in January.

On so many occasions now over the last few years the situation in the Republic of Bosnia and Herzegovina has been a subject of discussion in the Security Council, and the General Assembly and Security Council have adopted dozens of resolutions and issued dozens of statements on it. Unfortunately, however, we still have no basis for considering that they have had any serious or positive

(Mr. Aliyev, Azerbaijan)

influence on the ruthless and deliberate slaughter of the Bosnian Muslims.

(Mr. Aliyev, Azerbaijan)

Furthermore, the situation in Bosnia and Herzegovina is steadily deteriorating, though that word is sorely inadequate to express the tragedy of the current situation, particularly with regard to the peaceful population, the toll of civilian lives now having risen to hundreds of thousands. The inability of the international community to prevent the recent acts of barbarism committed by Serb nationalists in Sarajevo and Dobrnja, which led to the death and wounding of a large number of civilians, attests to the urgent need to revise and strengthen the traditional concepts and machinery for peacemaking activity undertaken with regard to the Bosnian conflict within the framework of various international organizations, including the United Nations and its Security Council.

Indeed, we have witnessed an unprecedented situation in which the Serb side has been openly disregarding the implementation of Security Council resolutions, with virtual impunity, while the Council has been unable to do anything about it. The impunity of the armed units of Bosnian Serbs which have flouted the demands made of them by the Security Council undermines the fundamental principles of the contemporary system of collective international security. The impression has been created that the irresponsible, extremist and chauvinist political movements which have risen from the ashes of the totalitarian regimes, and the political leaders of those movements, seriously believe in the possibility of a reconfiguration by force of internationally recognized frontiers, thus undermining the authority of the Security Council and faith in its ability impartially and adequately to react to acts of aggression wherever they are committed and under whatever circumstances.

(Mr. Aliyev, Azerbaijan)

The world entered the last decade of the twentieth century with the hope that within the system of international relations democratic and universal values would finally prevail. Unfortunately, this has not happened, for a number of reasons. The first is the inability of international peacemaking institutions to react in good time and with the necessary determination to the stepped-up activities of extreme nationalist and chauvinist forces and movements throughout the world. It is a long time since we were forced to witness such open preaching and practice of territorial expansionism and ethnic cleansing as has been undertaken by the Bosnian Serbs and the forces behind them with regard to the Muslim population of Bosnia and Herzegovina.

In practice, what we have here is not even dismemberment, but, rather the annihilation of the Republic of Bosnia and Herzegovina, a country officially recognized by the United Nations and the world community. No matter how frightening the barbarous actions of the Bosnian Serbs towards their age-old neighbours might be, no one should be deluded with regard to the inevitability of having to pay for those crimes and misdeeds. Here, we hope that the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, set up under resolution 808 (1993) of 22 February 1993, will finally have an authoritative word to say on this subject.

It is the profound conviction of the Azerbaijan delegation that the Security Council, too, must not simply once again note a further deterioration of the situation in Bosnia and Herzegovina, but is duty-bound to give a clear assessment of the actions of the separatist armed formations and units of the Bosnian Serbs, their

(Mr. Aliyev, Azerbaijan)

political and military leaders and the forces standing behind them. Today more than ever before it is important to be firm and decisive, to show the chauvinists of all stripes that the world community will not accept changes of frontiers made by force of arms or the existence of the very idea of expanding territory by military means. Only a consistent and firm pursuit of this fundamental principle of international relations will make it possible to create a durable system of collective security.

The position of the Azerbaijan Republic has been repeatedly expressed at various forums in which the tragic situation in the Republic of Bosnia and Herzegovina has been discussed. This position is based on the fundamental principle of international relations: the territorial integrity of States. On this basis, Azerbaijan does not intend to recognize any national territorial entities which might be proclaimed unilaterally or any mechanisms for settling the conflict which might be imposed upon the leadership and people of the Republic of Bosnia and Herzegovina in violation of its territorial integrity.

The Government of the Azerbaijan Republic strongly condemns the actions of the Serb separatists who are citizens of the Republic of Bosnia and Herzegovina as being aimed at the dismemberment of that State, given its understanding that the world community will never resign itself to the policy of fait accompli, of the dismemberment of the country, nor to any attempts to change its internationally recognized borders by force.

In conclusion, the Azerbaijani delegation urgently appeals to the Security Council to take all necessary measures at the earliest possible time so that, in accordance with Article 51, Chapter VII,

(Mr. Aliyev, Azerbaijan)

the Charter, the Republic of Bosnia and Herzegovina can exercise its inalienable right to self-defence.

The PRESIDENT: I thank the representative of Azerbaijan for his kind words addressed to me.

The next speaker is the representative of Indonesia. I invite him to take a place at the Council table and to make his statement.

Mr. SOEGARDA (Indonesia): At the outset, Sir, my delegation would like to congratulate you on your assumption of the office of President of the Security Council for the month of February. We are confident that under your able guidance, given your diplomatic skill our deliberations will lead to the initiation of effective measures. May I also avail myself of this opportunity to convey through you, Sir, our appreciation to your predecessor, His Excellency Mr. Karel Kovanda of the Czech Republic, for the able leadership he provided to the Council last month.

Indonesia has followed closely the unfolding tragedy that has engulfed the Republic of Bosnia and Herzegovina. Ever since the eruption of the conflict there we have witnessed the systematic extermination of the multi-cultural and multi-religious society of a Member State of the United Nations through armed aggression, genocide and the abhorrent policy of "ethnic cleansing". Hundreds of thousands of Bosnians have lost their lives or have been wounded, and more than half a million have been driven into enclaves. Cities and towns nave been reduced to rubble, while thousands of children are traumatized by harrowing experiences.

Earlier this month the international community viewed with horror and revulsion the mortal attack in Sarajevo resulting in the death of nearly 70 people and the wounding of scores of others. This malicious and barbaric act is unacceptable by the standards of

(Mr. Soegarda, Indonesia)

civilized society. We strongly condemn this brutal terrorist act, which reflects the aggressors' defiance of and scorn for the will of the international community. But this bloody and heinous act does not stand alone. The shelling of cities, the unending massacres, the mass expulsions and the unconscionable policy of ethnic cleansing have continued unabated and thus have wide-ranging ramifications, not only for the future of the Republic of Bosnia and Herzegovina, but also for the entire Balkan region.

(Mr. Soegarda, Indonesia)

Despite the adoption of numerous Security Council resolutions, this body has failed to reverse aggression and the abhorrent policy of "ethnic cleansing". Meanwhile, the denial of the Bosnians' right to self-defence under the United Nations Charter and the refusal to lift the arms embargo has led to two thirds of Bosnian territory coming under Serbian and Croatian occupation. It is imperative to lift the arms embargo against Bosnia in order to rectify the acute imbalance of armaments in the field and motivate the Serbs to come to the negotiating table.

Under threat of continuation of this unequal war, the Bosnians are being coerced into accepting an unjust settlement that would carve up their territory along ethnic lines and reduce their country to a cluster of small, incontiguous, land-locked and perpetually vulnerable Muslim enclaves, within a so-called Union of the Republics of Bosnia and Herzegovina. This cannot be allowed to happen. The legitimate interests of Bosnia and Herzegovina, in terms of its basic territorial, economic and security needs, as well as a secured access to the sea, must be safeguarded. Any negotiations carried out under duress, and enforcing peace without justice, will lead only to continuing violence, human suffering and insecurity. The primacy of law should never be surrendered to the law of force.

One of the immediate concerns which must be addressed is the imperative need to ensure the safe passage of relief convoys to prevent the imminent threat of a humanitarian disaster by taking all necessary measures, including the use of force. We also call for the urgent implementation of the mandate of UNPROFOR for enforcement action and establishment of a unified structure for all UNPROFOR troops in Bosnia in order to deter attacks against the

(Mr. Soegarda, Indonesia)

"safe areas", to monitor the cease-fire and to facilitate withdrawal of military units other than those of the Bosnian Government.

We support the use of air strikes against Serbian forces, in accordance with Security Council resolution 836 (1993), and the interdiction of arms supplies to those forces. In this context, we have noted the decision taken by the North Atlantic Council concerning the withdrawal, or regrouping and placing under UNPROFOR control, of heavy weaponry within 10 days of 10 February 1994. Otherwise, the parties concerned will be subjected to air strikes.

In the meantime, the economic sanctions imposed on the former Yugoslavia must be continued, and, in this context, we commend the Security Council's refusal to lift them. Any decision in this regard can be taken only when a peace plan is signed and implemented under international guarantees.

President Soeharto, in his capacity as Chairman of the Non-Aligned Movement, has followed the situation closely and has sent his personal envoys to London, Geneva, Moscow and Washington to meet with the parties concerned in this conflict, both during the negotiations and in special meetings. Indonesia, for its part, will continue to work within the Non-Aligned Movement and the Organization of the Islamic Conference as well as the United Nations to bring an end to the genocide and carnage in Bosnia and Herzegovina. Indonesia lends its full support to the Government and people of Bosnia and Herzegovina in their legitimate struggle to reach a just and viable settlement.

In conclusion, we reaffirm that a comprehensive solution to the conflict can be attained only through a negotiated settlement based on the precepts of justice and mutual tolerance, a settlement

(Mr. Soegarda, Indonesia)

that would enable the people of Bosnia and its neighbours to coexist in peace, free from domination and external interference. We also reiterate the sacrosanct principle that the borders of an internationally recognized State cannot be altered by force. Serbia must be stopped and Bosnia's territorial integrity and sovereignty restored. Even at this belated stage, the measures which the international community will undertake or fail to undertake will determine the survival of Bosnia and, indeed, the future peace and stability of the entire Balkan region.

The PRESIDENT: I thank the representative of Indonesia for his kind words addressed to me.

The next speaker is the representative of the Netherlands. I invite him to take a place at the Council table and to make his statement.

Mr. BIEGMAN (Netherlands): I should like to offer my sincere congratulations, Sir, on your assumption of the presidency of the Security Council for this month, and I should also like to to thank you for giving me this opportunity to state the position of the Netherlands on the tragic situation in Bosnia and Herzegovina, a Member State of the United Nations and a country which has for almost two years now been devastated by war and violence.

This Council has on many occasions expressed itself on this intolerable situation. Six cities and towns have been declared "safe areas", but more communities are under siege and threatened. Mostar, in particular, has been under continuous siege and would therefore, in the view of my Government, also qualify to be designated as a "safe area" under resolution 836 (1993).

(Mr. Biegman, Netherlands)

That resolution, in its paragraph 10, clearly mandates Member States, acting nationally or through regional organizations or arrangements, to take all necessary measures, up to and including the use of air power, to support the United Nations Protection Force (UNPROFOR) in its task of protecting the "safe areas", one of these being the capital city of Sarajevo. The authorization to take these measures under the Council's authority has therefore clearly been given under this paragraph.

Following the request of the Secretary-General contained in his letter of 6 February, the Council of the North Atlantic Treaty Organization (NATO) met to consider the situation that had arisen after the barbaric mortar attack on innocent civilians in Sarajevo on 5 February and to address the Secretary-General's request.

Whatever the outcome of the ongoing inquiry into the carnage of 5 February - and I am afraid it is bound to be inconclusive - we have to keep in mind that during the past 22 months thousands upon thousands of innocent people have been killed, maimed or wounded in exactly the same way, and we know exactly who is responsible for the vast majority of these cases: nobody but the Bosnian Serbs. Who did it on 5 February is, in relation to the immense suffering caused so far, almost irrelevant.

The decisions taken by NATO on 9 February open the way for relieving the siege of Sarajevo. The threat of the use of force, embodied in this NATO decision, should be seen first of all as a political means to convince parties to withdraw their heavy weapons or place them under United Nations control. It is a clear signal to all parties that the escalation of violence against the civilian population and threats against United Nations personnel will not be tolerated.

(Mr. Biegman, Netherlands)

The implementation of these decisions will be closely coordinated with the Secretary-General and with UNPROFOR, as provided for in resolution 836 (1993). This is also necessary in order to safeguard the security of United Nations personnel on the ground. In this connection, I should like to recall that the Netherlands is one of the major troop contributors to UNPROFOR. We will soon have almost 3,000 men in the field in and around the former Yugoslavia. This is, in absolute terms as well as in comparison to other troop contributors, a substantial effort. The Netherlands welcomes the NATO decisions and fully supports them.

(Mr. Biegman, Netherlands)

The decisions are well balanced and aim at the lifting of the siege of Sarajevo, which has been called for on several occasions by the Security Council. Lifting the siege of Sarajevo could be a step towards placing the city under United Nations administration, in conformity with the European Union Action Plan of 22 November 1993, to secure a negotiated settlement. The same principles should be applied to other areas in Bosnia and Herzegovina, such as Mostar - once it has been established as a "safe area" - and other "safe areas". Demilitarization of humanitarian trouble spots, as envisaged for Sarajevo by the United Nations and NATO, constitutes an important condition for a negotiated settlement. Arbitration could then be helpful in obtaining a lasting political solution.

Should the parties not heed the NATO decision, the credibility of the United Nations and respect for its decision to institute "safe areas" would be at stake. We therefore expect that the present signal will be understood accordingly and will help to create the necessary conditions for a stable cease-fire and, ultimately, for a just overall political settlement.

The PRESIDENT: I thank the representative of the Netherlands for the kind words he addressed to me.

The next speaker is the representative of Canada. I invite her to take a place at the Council table and to make her statement.

Mrs. FRECHETTE (Canada) (interpretation from French): I wish first of all to congratulate you, Sir, on your accession to the presidency of the Security Council for the month of February, and I hope that your work this month will continue to be fruitful.

We welcome this debate in the Security Council on the situation in Bosnia and Herzegovina, which is being held in the

(Mrs. Frechette, Canada)

wake of the recent tragic events in Sarajevo. Canadians were shocked and outraged at the deliberate killing and wounding of hundreds of innocent civilians in Sarajevo on 5 February.

In the face of this new tragedy, the international community has felt the urgency of giving concrete form to its commitments to ensure safer conditions for the populace of Sarajevo. This was why the North Atlantic Treaty Organization (NATO) ressponded in such short order the request put to it by the Secretary-General.

Canada associates itself fully with the NATO decision, which requires that the heavy artillery deployed around Sarajevo be placed under the control of the United Nations Protection Force (UNPROFOR) in order to prevent new attacks on the civilian population.

We have cooperated closely with our allies to make sure that the NATO decision will have a positive bearing on the peace talks, on the delivery of humanitarian aid and on the safety of United Nations personnel and the personnel of humanitarian organizations. It was also essential to confirm the Secretary-General's role in the launching of air strikes and the joint role of the United Nations and NATO commanders in the planning and execution of such possible operations. We are pleased to note that the NATO decision is fully compatible with these objectives.

(spoke in English)

The NATO decision seems already to have contributed to the cease-fire announced by the United Nations, which we welcome and which calls for the withdrawal or placing under United Nations control of the heavy weapons positioned in the Sarajevo sector.

We hope that, with this agreement, air strikes will be unnecessary. But should conditions in the field make such actions

(Mrs. Frechette, Canada)

necessary NATO will not hesitate to proceed in accordance with its decision of 9 February.

The tragedy of Sarajevo must not divert our attention from the plight of Bosnia and Herzegovina as a whole or from the numerous conflicts occurring in different areas of Bosnia. We earnestly hope that the NATO decision will have the desired effect on the peace process and will facilitate unobstructed access to humanitarian aid for those in need.

Canada continues to believe that only a negotiated settlement can provide a lasting peace in the region and urges all parties to do their utmost to achieve a just and equitable solution. The parties must resume urgently and in good faith their negotiations within the framework of the International Conference on the Former Yugoslavia.

Canada will continue to work with its partners in the United Nations, NATO and the International Conference on the Former Yugoslavia to help settle the remaining issues. We encourage all members of the international community to contribute actively to the achievement by the parties of a negotiated settlement. We are pleased to note that the United States is committed to playing a more active part in the peace negotiations.

The prospect of an agreement between the parties in Sarajevo is encouraging. This initial step would give concrete proof of the parties' willingness to take the path of compromise and reason and to end the suffering of the people of Bosnia and Herzegovina.

The PRESIDENT: I thank the representative of Canada for her kind words addressed to me.

The next speaker, who will be the last one for this evening, is the representative of Japan. I invite him to take a place at the Council table and to make his statement.

Mr. HATANO (Japan): I wish to extend my congratulations to you, Sir, on your assumption of the presidency for this month.

The Government of Japan expresses its grave concern at the tragedy that continues to unfold in Bosnia and Herzegovina. Savage attacks against innocent civilians, such as that which occurred in the Sarajevo marketplace, are unconscionable and must not be repeated.

Japan appreciates the decision on air strikes taken at the NATO meeting and welcomes the recent agreement between the Government of Bosnia and Herzegovina and the Serbian forces on a cease-fire in Sarajevo and the placement of heavy weapons under United Nations Protection Force (UNPROFOR) control. It is incumbent upon all the parties concerned to bring a prompt and peaceful end to this tragic situation.

The Government of Japan supports the efforts of the European Community and the United Nations, and particularly those of the Co-Chairmen of the Peace Conference, Lord Owen and Mr. Stoltenberg. Japan calls upon the parties concerned to cooperate with those efforts by ceasing all military action and reaching a negotiated settlement.

The Government of Japan, on its part, will focus its efforts on reducing human suffering and on preventing the outbreak of conflict in other areas of the former Yugoslavia.

Japan has been actively involved in international humanitarian efforts in the region, particularly those of the Office of the

(Mr. Hatano, Japan)

United Nations High Commissioner for Refugees (UNHCR), and in fostering a climate of peace through various forms of assistance. More specifically, my Government dispatched a survey mission to the area last month and it intends to strengthen its contributions in the field of humanitarian and other assistance in accordance with the recommendations of that mission, including the establishment of facilities to receive refugees.

In addition, my Government will extend cooperation to The Former Yugoslav Republic of Macedonia in an effort to prevent the expansion of the conflict across its border.

The broad participation in this Security Council meeting today is testimony to the determination of Member States to bring the tragedy in Bosnia and Herzegovina to an end. Japan hopes that the parties concerned will heed the wishes of the international community and commit themselves to resolving their differences peacefully and without further delay.

The PRESIDENT: I thank the representative of Japan for his kind words addressed to me.

There are a number of names remaining on the list of speakers. In view of the lateness of the hour, I intend, with the concurrence of the Council, to suspend the meeting now.

The meeting was suspended at 6.30 p.m.